

DIRECTOR OF CENTRAL INTELLIGENCE  
**Security Committee**

SECOM-D-349  
23 June 1978

MEMORANDUM FOR: Mr. Raymond J. Brady  
Director, Division of Security  
Office of Administration  
Nuclear Regulatory Commission

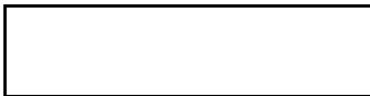
FROM: Robert W. Gambino  
Chairman

SUBJECT: Secrecy Agreements

REFERENCE: Your letter to me dated 8 May 1978

1. This responds to your request (reference) for comments on the use by the Nuclear Regulatory Commission (NRC) of an "Intelligence Non-Disclosure Agreement" (secrecy agreement).

2. As you know, Executive Order 11905 required (section 7.a.) Government employees and contractors to sign such an agreement as a condition of access to information on sources or methods of intelligence. Executive Order 12036, which superseded E.O. 11905, does not contain any comparable provision. No requirement for secrecy agreements was included in the final draft of the proposed revision of E.O. 11652, providing policy on security classification and the protection of classified information. Without Executive Order authority, the Director of Central Intelligence does not have a proper basis for requiring other agencies to use secrecy agreements for access to foreign intelligence information. Current circumstances thus essentially make each agency responsible for developing and applying its own procedures, consistent with Executive Order 11652, for the protection of classified information. While we welcome any measures NRC may take to ensure the protection of sources and methods information, we are in no position at this time to suggest specific language or procedures. You may wish to follow the efforts to revise E.O. 11652. We understand that the final version of that provides for administrative sanctions against Government personnel who disclose classified information without authorization.



Robert W. Gambino

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